UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK X UNITED STATES OF AMERICA, Case No.: 12-CV-7530 (GBD/JCF) Plaintiff, v. **NOTICE OF CLAIM PURSUANT TO SUPPLEMENTAL RULE G(5)** ANY AND ALL FUNDS ON DEPOSIT AT JPMORGAN CHASE ACCOUNT NUMBER 61442003 HELD IN THE NAME OF CIA MINERA AURIFERA SANTA ROSA SA, AKA COMARSA, et al., Defendants in rem.

PLEASE TAKE NOTICE that by and through its undersigned counsel, Claimant Advancer Logistics, LLC, by this notice makes a claim for certain property subject to the above-captioned proceeding, specifically:

- 1. Any and all funds on deposit at JPMorgan Chase Account Number 000000891772402, held in the name of Advancer Logistics, LLC; and
- 2. Any and all funds on deposit at BB&T Account Number 240048353, held in the name of Advancer Logistics, LLC.

Please take further notice that Claimant will rely upon the attached signed Claim pursuant to 18 U.S.C. §983(a)(4)(A) and Supplemental Rule G(5) of the Supplemental Rules for Certain Admiralty or Maritime and Asset Forfeiture Actions in support of its claim to the property, as well as an answer and any other dispositive motions to be filed subsequent to the filing of this Claim as provided by the applicable statutes and rules.

Dated:

February <u>7</u>, 2013

Respectfully submitted,

PROSKAUER ROSE LLP

Robert J. Cleary

Eleven Times Square New York, NY 10036

Telephone: (212) 969-3000 Facsimile: (212) 969-2900

Attorney for Advancer Logistics, LLC

Claim for Any and All Funds on Deposit and/or Seized from JPMorgan Chase Account Number 000000891772402 and

BB&T Account Number 240048353

I, CARLOS ALBERTO SANCHEZ ALAYO, am General Manager, Managing Member of

Claimant Advancer Logistics, LLC ("Advancer"). I have a 20 % interest in Advancer. Under

penalty of perjury, I hereby file this claim contesting the forfeiture of any and all funds in

JPMorgan Chase Account Number 000000891772402 and BB&T Account Number 240048353,

identified as defendants-in-rem in the above-captioned action.

1. Advancer is making a claim contesting the forfeiture of any and all funds seized

from and/or on deposit in JPMorgan Chase Account Number 000000891772402

and BB&T Account Number 240048353, identified in the above-captioned action.

2. Advancer is the owner of these accounts, as well as any and all funds contained

therein and seized therefrom. Advancer is identified as the named accountholder

for the JPMorgan Chase Account Number 000000891772402 and BB&T Account

Number 240048353 in the Complaint.

I swear under penalty of perjury, pursuant to the laws of the United States, that the foregoing is

true and correct to the best of my information and belief.

CARLOS ALBERTO SANCHEZ ALAYO

Dated: Lima, February 4, 2013

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CERTIFICATE OF SERVICE

I hereby certify that, on February 7, 2013, I caused a true and correct copy of the Notice of Claim to be served via CM/ECF system upon Preet Bharara, United States Attorney for the Southern District of New York, Sarah E. Paul, Assistant United States Attorney, and Paul Monteleoni, Assistant United States Attorney.

/s/ Robert J. Cleary Robert J. Cleary